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# Fax

**To:** Dr. Holly G. Schnizer **From:** John W. Mahoney

**Fax:** (703) 872-9306 **Pages:** 2 plus cover

**Phone:** **Date:** October 29, 2004

**Re:** Response to Office Action **CC:**

☐ Urgent ☐ AS REQUESTED ☐ Please Comment ☐ Please Reply ☐ Please Recycle

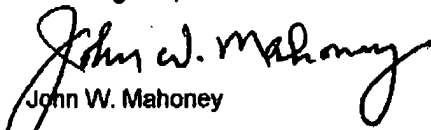
• **Comments:**

Dear Examiner Schnizer

Enclosed is a Response to the Office Action - Restriction Requirement (2 pages) mailed October 4, 2004 for Application Number 10/019,065 filed on May 31, 2002.

Please call me at (510) 705-7725 if you have any questions regarding this matter.

Kind Regards,

  
John W. Mahoney  
Reg. No. 44,892

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OCT 29 2004

Application Number 10/019,065  
Appl. Date 05/31/2002  
Response to Office Action - Restriction Requirement

Attorney Docket No. MSB-7265

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

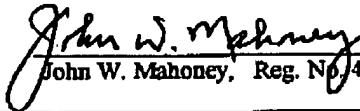
In Re Application of: Wetzel, et al.                      Group Art Unit: 1653  
Serial Number: 10/019,065                      Examiner: Schnizer, Holly G.  
Filed: 05/31/2002  
Title: Protein Having Activity As An Angiogenesis Modulator.

**CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence, and any papers referred to in this certificate as being attached, are being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Date:

Oct. 29, 2004

  
John W. Mahoney, Reg. No. 44,892

**RESPONSE TO RESTRICTION REQUIREMENT  
UNDER 35 USC 121 and 372**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Office Action dated October 4, 2004. Applicants hereby elect, without traverse, to prosecute those claims within Group II that are drawn to methods of inhibiting angiogenesis by administering a BTL012-like protein. The Claims of Group II include Claims 1-6, 10, 12, and 14.

Should the Examiner believe that a telephone interview would aid in the prosecution of

Application Number 10/019,065

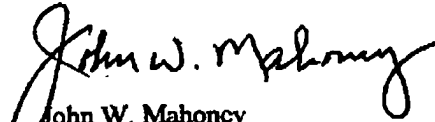
Attorney Docket No. MSB-7265

Appl. Date 05/31/2002

Response to Office Action - Restriction Requirement

this application, Applicants encourage the Examiner to call their Attorney at the phone number listed below.

Respectfully Submitted,

  
John W. Mahoney  
Reg. No. 44,892

Oct. 29, 2004

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Law and Patent Department  
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